

**RECORDS RETENTION AND DISPOSITION SCHEDULE
GENERAL SCHEDULE NO. 12
CIRCUIT COURT RECORDS**

SCHEDULED AGENCIES: ALL CIRCUIT COURT CLERK OFFICES

The schedule on the attached page(s) is approved with agreement to follow the records retention and disposition conditions listed below:
SEE PAGE 2 FOR SPECIAL INSTRUCTIONS FOR CIRCUIT COURT RECORDS.

APPROVED: C. Preston Huff, CRM, STATE RECORDS ADMINISTRATOR

EFFECTIVE SCHEDULE DATE: JULY 1, 1999**PAGE 1 OF 29 PAGES**

CONDITIONS FOR RECORDS RETENTION AND DISPOSITION

1. This schedule is continuing authority under the provisions of the *Virginia Public Records Act*, §§ 42.1-76, et. seq. of the *Code of Virginia* for the retention and disposition of the records as stated on the attached page(s).
2. This schedule supersedes previously approved applicable schedules.
3. This schedule is used in conjunction with the *Certificate of Records Disposal* (Form RM-3). A signed RM-3 must be approved by the designated records officer and on file in the agency or locality before records can be destroyed. After the records are destroyed, the original signed RM-3 must be sent to Library of Virginia (LVA).
4. Any records created prior to 1913 must be offered, in writing, to the LVA before applying these disposition instructions. Offered records can be destroyed 60 days after date of the offer if no response is received from the LVA. A copy of the offer must be attached to the RM-3 form when it is submitted to the LVA.
5. All known audits and audit discrepancies regarding the listed records must be settled before the records can be destroyed.
6. All known investigations or court cases involving the listed records must be resolved before the records can be destroyed. Knowledge of subpoenas, investigations or litigation that reasonably may involve the listed records suspends any disposal or reformatting processes until all issues are resolved.
7. The retentions and dispositions listed on the attached page(s) apply regardless of physical format, i.e., paper, microfilm, electronic storage, optical imaging, etc. Microfilming must be done in accordance with §§ 17VAC15-20-10, et. seq. of the *Virginia Administrative Code*, "Standards for the Microfilming of Public Records for Archival Retention." Camera copies of microfilm to be permanently retained may be stored at no charge in the Vital Records Vault, LVA.
8. Custodians of records must ensure that information in confidential or privacy protected records is protected from unauthorized disclosure through the ultimate destruction of the information. Normally, destruction of confidential or privacy-protected records will be done by shredding or pulping. "Deletion" of confidential or privacy-protected information in computer files or other electronic storage media is not acceptable. Electronic records must be "wiped" clean or the storage media physically destroyed.



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RECORDS SERIES TITLE AND DESCRIPTION

SERIES NUMBER SCHEDULED RETENTION AND DISPOSITION

NOTE: Citations within the records series description in the left-hand column are to help identify series; citations within retention and disposition directions in the right-hand column indicate a *Code* mandate. For additional information on records series, refer to the *Code of Virginia*, *Virginia Circuit Court Manuals*, standards for circuit court records, and Supreme Court manuals for circuit court clerks.

THE FOLLOWING CONDITIONS APPLY SPECIFICALLY TO CIRCUIT COURT RECORDS: (1) Preservation of permanent records of the circuit court is the responsibility of the clerk; (2) The Library of Virginia strongly recommends that permanent records be retained on either alkaline paper or microfilm (*Code of Virginia*, §17.1-239, §17.1-240); (3) Microfilm created as a back-up and security copy of a permanent record must be verified to ensure information is reproduced fully and all standards for archival filming have been met (*Code*, §42.1-82(1) and §17.1-213 (E) and *Virginia Administrative Code*, §§17VAC 15-20-10, et. seq., "Standards for the Microfilming of Public Records for Archival Retention"; (4) Permanent records may be transferred to the Archives, Library of Virginia for storage; and (5) Clerks may consult the Archives, Library of Virginia, (804) 692-3600, for assistance in identifying cases that have historical, genealogical or sensational significance for permanent retention (*Code*, §42.1-77, §17.1-213(D)).

Administrative Records

Documents the common functions and administration of various types of offices; records not otherwise listed on this schedule.

Refer to *General Records Retention and Disposition Schedule No. GS-19, Administrative Records* for retention guidelines.

Adoptions - Completed Files

Documents legal process in which a person's rights toward natural parents are terminated and similar rights and duties toward adoptive parents are substituted. Records consist of order book, docket and index, adoption case files and petitions.

010433

Retain permanently in original form or microfilm. Maintain security negative microfilm copy in Vital Records Vault, Library of Virginia (*Code of Virginia*, §63.1-235). Refer to No. 8 on schedule cover page.

Adoptions - Incomplete Files

010434

Retain 10 years, then destroy (*Code of Virginia*,



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Documents an attempt to change a person's legal rights toward natural parents that is not completed. Records may consist of docket and index, adoption case files and petitions.

§17.1-213 (B)(7)) in compliance with No. 8 on schedule cover page.

Affidavits, Affirmations

Documents affidavits and affirmations that are not part of a case file.

Refer to records series 010522 and 010523, "Oaths and Qualifications."

Agricultural Chattel Deeds of Trust - Pre- 1913

Defunct records series

Documents non-real property mortgages.

010435

Retain permanently.

Agricultural Chattel Deeds of Trust - Post- 1912

Defunct records series

Documents non-real property mortgages.

010436

Retain 20 years after lien expires, then destroy (*Code of Virginia*, § 8.01-241).

Attorney's Fees Records

Documents court-appointed attorneys' allowance list, time sheets, and billings to Supreme Court.

010437

Retain 3 years, then destroy.

Bank Statements

Documents bank transactions of clerk or court, including deposits, withdrawals and any other fees and credits to account.

010438

Retain 3 years after audit, then destroy (*Code of Virginia*, §17.1-211).

Blood Test Cards

Defunct records series

010439

Destroy accumulations.



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Documents results of blood tests that once were required for marriage license applications.

Board of Supervisors Meeting Records

Documents actions of governing board through its official minutes, agendas and supporting materials.

010440

Refer to *General Records Retention and Disposition Schedule No. 4, County, City and Town Administration Records*.

Board of Supervisors Financial Records

Documents financial transactions of board.

010441

Retain 5 years after audit; then obtain governing body's authorization to destroy.

Bond Books - Pre-1913

Documents bonds taken of officers, executors, administrators, trustees or other fiduciaries and all bonds of commissioners and receivers; all suspending, appeal, injunction, attachment and cost bonds; all other bonds required to be recorded. Refer to *Code of Virginia*, §17.1-230.

010442

Retain permanently.

Bond Books - Post-1912

Documents bonds taken of officers, executors, administrators, trustees or other fiduciaries and all bonds of commissioners and receivers; all suspending, appeal, injunction, attachment and cost bonds; all other bonds required to be recorded. Refer to *Code of Virginia*, §17.1-230.

010443

Retain permanently.

Capitation Tax Books, Paid and DelinquentDefunct records series

Documents poll tax imposed on individuals.

010444

Retain permanently.



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Cases, Civil - Habitual Offender

Documents cases pertaining to declarations of habitual offender status and full restoration of driving privileges.

010445

Retain 10 years, then destroy (*Code of Virginia*, §17.1-213 (B) (13)).

Case Papers, Civil, District Court - Prior to Jan. 1, 1985

Documents district court cases concerning civil or private rights and remedies. May include warrants in debt and unlawful detainers. Refer to *Code of Virginia*, §16.1-116, 16.1-69.58.

010446

Retain 20 years after judgment; if there is no motion to extend, then destroy (*Code*, §16.1-118).

Or, destroy if:

- (1) Retained for 1 year after order of dismissal.
- (2) Judgment is barred.
- (3) There is no service of warrant or motion or other process or summons on any defendant, and 1 year has elapsed from the date of such process or summons.
- (4) Ordered by the judge.

Cases, Ended Chancery and Law - Pre-1913

Documents cases administered according to system of equity and/or common law procedure. Includes pleadings and orders.

010447

Retain permanently in hard copy form in locality or in Archives, Library of Virginia (*Code of Virginia*, §17.1-213 (A)).

Cases, Ended Chancery and Law - Involving ownership of land

Documents cases administered according to system of equity and/or common law procedure. Includes pleadings and orders.

010448

Retain permanently (*Code of Virginia*, §17.1-213 (D)).

Cases, Ended Chancery and Law - Post-1912 which have historical, genealogical or sensational significance

Documents cases administered according to system of equity and/or common law procedure. Includes pleadings and orders.

010449

Retain permanently (*Code of Virginia*, §17.1-213 (D)).



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Cases, Ended Chancery and Law - Other cases ended after 1912
Documents cases administered according to system of equity and/or common law procedure. Includes pleadings and orders.

010450

After separating cases which have historical, genealogical or sensational significance, destroy 20 years after court order date (*Code of Virginia*, §17.1 - 213 (C)(1)).

Cases, Ended Chancery and Law - Pre-1913 Voluntarily dismissed
Documents law and chancery matters that are voluntarily dismissed, including nonsuits, cases dismissed as settled and agreed, cases that are dismissed with or without prejudice, cases discontinued or dismissed under §8.01-335 and district court appeals dismissed under §16.1-113 prior to 1988.

010451

Retain permanently in hard copy form (*Code of Virginia*, §17.1-213 (A)).

Cases, Ended Chancery and Law - Post-1912 Voluntarily dismissed
Documents law and chancery matters that are voluntarily dismissed, including nonsuits, cases dismissed as settled and agreed, cases that are dismissed with or without prejudice, cases discontinued or dismissed under §8.01-335 and district court appeals dismissed under §16.1-113 prior to 1988.

010452

Retain 10 years; then destroy (*Code of Virginia*, §17.1 - 213 (B)(7)).

Cases, Ended Criminal - Dismissed
Documents criminal cases which were dismissed by the judge, including those not a true bill, acquittals and not guilty verdicts.

010453

Retain 10 years after court order date, then destroy (*Code of Virginia*, §17.1-213 (C)(2)).

Cases, Ended Criminal (Felony convictions) - Ended prior to

Retain permanently in hard copy form (*Code of Virginia*,



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1913

Documents criminal cases involving infractions of law for crimes of a more serious nature than misdemeanors.

010454

§17.1-213 (A)).

Cases, Ended Criminal (Felony convictions) - Ended after 1912 which have historical, genealogical or sensational significance

Documents criminal cases involving infractions of law for crimes of a more serious nature than misdemeanors.

010455

Retain permanently (*Code of Virginia*, §17.1-213 (D)).Cases, Ended Criminal (Felony convictions) - Other cases post-1912

Documents criminal cases involving infractions of law for crimes of a more serious nature than misdemeanors.

010456

After separating cases which have historical, genealogical or sensational significance, destroy 20 years after sentencing date or when the sentence term ends, whichever comes later (*Code of Virginia*, §17.1-213 (C)(3)).Cases, Ended Criminal (Misdemeanors and Traffic Cases) - Ended pre-1913

Documents cases involving offenses generally punishable by fine, penalty, forfeiture or imprisonment other than in a penitentiary.

010457

Retain permanently in hard copy form (*Code of Virginia*, §17.1-213 (A)).Cases, Ended Criminal (Misdemeanors and Traffic Cases) - Ended after 1912 which have historical, genealogical or sensational significance

Documents cases involving offenses generally punishable by fine, penalty, forfeiture or imprisonment other than in a penitentiary.

010458

Retain permanently (*Code of Virginia*, §17.1-213 (D)).



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Cases, Ended Criminal (Misdemeanors and Traffic Cases) - Other Cases

Documents cases involving offenses generally punishable by fine, penalty, forfeiture or imprisonment other than in a penitentiary. Includes cases commenced on a felony charge but concluded as a misdemeanor.

010459

After separating cases which have historical, genealogical or sensational significance, destroy 10 years after court order date (*Code of Virginia*, §17.1-213 (B)(8)).

Cases, Ended Divorce - With Real Estate Transaction

Documents cases in which court has decreed a marriage dissolved and title to real estate was established, conveyed or condemned by order or decree of court.

010460

Retain permanently (*Code of Virginia*, §17.1-213 (D)).

Cases, Ended Divorce - Without Real Estate Transaction

Documents cases in which court has decreed a marriage dissolved and no title to real estate was established, conveyed or condemned by order or decree of court.

010461

After separating cases which have historical, genealogical or sensational significance, destroy 20 years after court order date (*Code of Virginia*, § 17.1-213 (C)(1)).

Cases, Nolle Prosequi - Pre-1913

Documents cases which were not prosecuted or were voluntarily withdrawn from prosecution.

010462

Retain permanently.

Cases, Nolle Prosequi - Post-1912

Documents cases which were not prosecuted or were voluntarily withdrawn from prosecution.

010463

Retain 10 years; then destroy (*Code of Virginia*, §17.1-213 (B)(6)).



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Charter BooksDefunct records series

Documents issuance of a charter granting permission to operate and transact business. State Corporation Commission now maintains books.

010464

Retain permanently.

Checks, Canceled

Documents financial transactions of clerk and court paid by check and processed by bank.

010465

Retain 3 years after audit; then destroy (*Code of Virginia*, §17.1-211).Citizen Petitions - Change Form of Government

Documents petitions filed by citizens of locality with circuit court requesting referendum on adopting a new form of government. Refer to *Code of Virginia*, §15.2-301.

010466

Retain permanently.

Commissioner of Accounts Records - Pre-1913

Documents matters relating to settlement of estates, including fiduciary's vouchers, inventories, appraisements, original accounts of sales, vouchers, lists of sales and settlements of accounts that are recorded in the Will Book or Fiduciary Account Book, per responsibilities of Commissioner of Accounts (*Code of Virginia*, §17.1-231).

010467

Retain permanently.

Commissioner of Accounts Records - Post-1912

Documents matters relating to settlement of estates, including fiduciary's vouchers, inventories, appraisements, original accounts of sales, vouchers, lists of sales and settlements of

010468

Return originals to fiduciary or other filing party, if requested or determined by commissioner. Retain 3 years after final settlement and appropriate recordations have been made, then destroy in compliance with



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accounts that are recorded in the Will Book or Fiduciary Account Book, per responsibilities of Commissioner of Accounts (*Code of Virginia*, § 17.1-231).

Code, § 26-37.

Concealed Handgun Permit Applications

Documents applications by individuals requesting permission to carry a concealed handgun.

010469

Retain 10 years after application is approved or denied; then destroy (*Code of Virginia*, §17.1-213 (B)(2)).

Conditional Sales Contracts

Defunct records series

010470

Retain 10 years; then destroy (*Code of Virginia*, §17.1-213 (B)(1)).

Conservator of the Peace (Special) Petitions

Documents applications by individuals petitioning the court for appointment to police certain locations. Contains original petition and summary report of background investigation. Police department maintains original investigation file. Appointments are granted by the court (*Code of Virginia*, §19.2-13) and entered into Order Book.

010471

Retain 10 years after appointment is no longer active, or after all cases involving appointee have been adjudicated, whichever is longer; then destroy (*Code*, §17.1-213 (B)(12)).

Convicts, Register of

Defunct records series

Listing of convicts residing in jail.

010472

Retain permanently.

Coroner's and Inquest Papers

Defunct records series

Documents activities of coroner and inquests conducted.

010473

Retain permanently.



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Court Reporter Records - Civil Cases

Documents original shorthand notes or other original records filed with circuit court clerk, such as audio tapes, stenographer notes, videotapes, shorthand notes.

010474

Retain 5 years after close of case, then destroy (*Code of Virginia*, §17.1-128).

Court Reporter Records - Felony Cases, Appealed

Documents original shorthand notes or other original records filed with circuit court clerk, such as audio tapes, stenographer notes, videotapes, shorthand notes.

010475

Retain 5 years after an appeal is taken and transcript prepared, then destroy (*Code of Virginia*, §19.2-165).

Court Reporter Records - Felony Cases, Not Appealed

Documents original shorthand notes or other original records filed with circuit court clerk, such as audio tapes, stenographer notes, videotapes, shorthand notes.

010476

Retain 10 years if no appeal, then destroy (*Code of Virginia*, §19.2-165).

Deed Books

Documents conveyance of realty and personal property; official index of such transactions. Includes deeds, deeds of trust, deeds of release, certificates of satisfaction, assignments and other recordations per *Code of Virginia*, §17.1-227, §17.1-229.

010477

Retain permanently. After deeds and certificates are entered in Deed Book, item may be returned to party entitled to claim (*Code* §17.1-223).

Deeds Not Returned - Pre 1913

Includes original instruments of deeds of trust, certificates of satisfaction and assignments that are not returned to party entitled to claim. Refer to *Code of Virginia*, §17.1-223.

010478

Retain permanently.



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Deeds Not Returned - Post 1912

Includes original instruments of deeds of trust, certificates of satisfaction and assignments that are not returned to party entitled to claim. Refer to *Code of Virginia*, §17.1-223.

006224

Retain 1 year after recording, then destroy.

Deeds, Unrecorded

Refer to records series 012045, "Writings Partially Proved."

Dockets

Documents schedule of proceedings of court.

010479

Retain as long as administratively necessary, then destroy.

Election Records - Prior to 1913

Documents citizen participation in elections through ballots, poll books, voter lists and other items.

010480

Retain permanently.

Election Records - After 1912

Documents activities involved with electing individuals to public office. Includes absentee ballot applications, ballots, envelopes, and voter lists; challenged vote ballots, counted ballots, and unused ballots; poll books, statements of economic interest, statement of results, voting equipment keys, voting equipment printouts. Refer also to records series 012038 and 012039, "Voters, Lists of."

Refer to *General Records Retention and Disposition Schedule No. 1, Election Records* for retention guidelines.

Electronic Records

Refer to *General Records Retention and Disposition*



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Created or stored information held in any electronic format;
records not otherwise listed on this schedule.

Schedule No. GS-23, Electronic Records for retention
guidelines.

Estate Records

Documents all assets, and both real and personal liabilities of
decedent.

Refer to records series 010467 and 010468,
"Commissioner of Accounts Records."

Estray Books and Certificates*Defunct records series*

Documents loose, wandering animals whose owners are
unknown; also boats or vessels adrift. Refer to *Code of
Virginia*, §55-202.

010481

Retain permanently.

Executions (*feri facias*) - Pre-1913 Successfully Served

Documents judicial writ directing sheriff to satisfy judgment
from debtor's property.

010482

Retain permanently.

Executions (*feri facias*) - Post-1913 Successfully served

Documents judicial writ directing sheriff to satisfy judgment
from debtor's property.

010483

Retain 10 years; then destroy (*Code of Virginia*,
§17.1-213 (B)(11)).

Executions (*feri facias*) - Pre-1913 Unable to Serve

Documents judicial writ directing sheriff to satisfy judgment
from debtor's property.

010484

Retain permanently.

Executions (*feri facias*) - Post-1912 Unable to Serve

Retain 2 years after date of return, then destroy



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Documents judicial writ directing sheriff to satisfy judgment from debtor's property.

010485

(Code of Virginia, §8.01-484).

Exhibits

Documents materials introduced as evidence in court case and are made a part of case records.

Retain in accordance with appropriate case file retention period or statute, case law or decision governing evidence and forfeiture.

Expungements

Documents case records that court has ordered obliterated or expunged so as to remove all reference to their existence. Refer to *Code of Virginia*, §19.2-392.2.

010486

Destroy originals and copies upon receipt of court order.

Federal Farm Loan Mortgage Book*Defunct records series*

Documents recorded mortgages executed to secure payment of loans under Federal Farm Loan Act (enacted 1916).

010487

Retain permanently (*Code of Virginia*, §17.1-235).Fee Books - Prior to 1913*Defunct records series*

Documents fees paid to clerks and sheriffs for certain services.

010488

Retain permanently.

Fee Books - After 1912*Defunct records series*

Documents fees paid to clerks and sheriffs for certain services.

010489

Retain 3 years after audit; then destroy (*Code of Virginia*, §§14.1-136 through 14.1-139).

Fiduciaries, Annual Statements of

Refer to records series 010467 and 010468,



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"Commissioner of Accounts Records."

Fiduciary Matters, Papers, Account Books

Documents activities of individual serving as trustee on behalf of another. Also known as "record of fiduciaries."

Refer to records series 010467 and 010468, "Commissioner of Accounts Records" (*Code of Virginia*, §26.9).

Finance Board Record Book

Documents actions of board. Refer to *Code of Virginia*, §58.1-3152.

010490

Retain permanently.

Financial Statements to Compensation Board

Documents statement of fees, allowances, commissions, salaries and other compensations of office. Refer to *Code of Virginia*, §17.1-283.

010491

Retain 3 years, then destroy.

Financing and Continuation Statements (Uniform Commercial Code)

Documents secured transactions involving businesses.

010492

Retain 5 years after filing of financing statement or most recent continuation statement, then destroy unless litigation is threatened or pending and a written notice has been filed with the court (*Code of Virginia*, §8.9-403 (7)).

FMS and CAIS Financial Records - Daily Reports Including Receipt Register and From Last Workday of Month

Documents transactions on automated accounting systems. Includes Daily Receipt Register (BR02) and all daily reports from last workday of month. Supreme Court of Virginia

010493

Retain until audited and audit report is received; then destroy.



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maintains master copy of these records.

FMS and CAIS Financial Records - Other Daily Reports

Documents transactions on automated accounting systems. Includes other daily reports, including PCR reports and PCR receipt copies. Supreme Court of Virginia maintains master copy of these records.

010494

Destroy after performing a monthly closing on the FMS. This closing includes reconciliation of bank statement and resolution of all accounting problems.

FMS and CAIS Financial Records - Other Types of Reports

Documents transactions on automated accounting systems. Includes monthly, quarterly and yearly reports, and other computer generated reports. Supreme Court of Virginia maintains master copy of these records.

010495

Retain until audited and audit report is received, then destroy.

Fiscal Records

Documents the expenditure of funds, accounting for funds, routine purchases and other activities of an accounting or financial nature; records not otherwise listed on this schedule. Refer to records series 010438, "Bank Statements," 010465, "Canceled Checks," and 012033, "Receipt Books" (*Code of Virginia*, §17.1-211).

Refer to *General Records Retention and Disposition Schedule No. GS-2, Fiscal Records* for retention guidelines.

Garnishments

Documents collection by execution against a third party defendant to obtain satisfaction of indebtedness.

010496

Retain 10 years after conclusion; then destroy (*Code*, §17.1-213 (B)(10)).

Guardian or Conservator Papers

Refer to records series 010467 and 010468,



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Documents activities of persons charged with duty of taking care of individuals and their property and rights.

"Commissioner of Accounts Records."

Habeas Corpus, Writ of

Documents common-law writs issued to bring a party before a court or judge. Refer to *Code of Virginia*, §8.01-654 - 667.

012046

Retain 20 years after completion of sentence, then destroy.

Heirs, Lists of

Indicates names of those eligible to inherit real and personal property from an estate. Lists are recorded in Will Book.

010497

Record in Will Book. Retain permanently (*Code of Virginia*, §64.1-134).

Incorporation, Certificate of

Defunct records series

Documents the act of creating and registering a corporation with state government; information was recorded in Charter Book.

010498

Retain permanently.

Indexes to Permanent Records

Books containing references, alphabetically or chronologically arranged, to the contents of a series or collection of documents or volumes.

010499

Retain permanently (*Code of Virginia*, §§17.1-249, 239, 223).

Indexes to Nonpermanent Records

Books containing references, alphabetically or chronologically arranged, to the contents of a series or collection of documents or volumes.

010500

Destroy indexes to nonpermanent records when those records are destroyed.



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Insanity and Commitment RecordsDefunct records series.

Documents individuals who were declared insane and/or committed to an institution due to mental illness. Includes involuntary commitments and former confidential book "Record Book of Mentally-Ill, Epileptic, Inebriate and Mentally Deficient Persons" (series ended 1968).

010501

Retain permanently.

Inventory and Appraisalment and Account of Sales

Documents articles of property and other assets, with descriptions and values; documents sales of such articles.

Refer to records series 010467 and 010468, "Commissioner of Accounts Records."

Judgments, Abstracts or Originals - Pre-1913

Documents the process and determination of the court in resolving a dispute. Includes abstracts, originals and judgment docket book. Refer to *Code of Virginia*, §17.1-232.

010502

Retain permanently.

Judgments, Abstracts or Originals - Post-1912

Documents the process and determination of the court in resolving a dispute. Includes abstracts, originals and judgment docket book. Refer to *Code of Virginia*, §17.1-232.

010503

Retain 20 years, then destroy (*Code* §8.01-251(A)); §8.01-446).

Jurors, Lists of

Documents individuals deemed eligible, based on locality jury commissioners' determinations, to serve on a jury. Includes juror qualification questionnaires. Refer to *Code of Virginia*,

010504

Retain 3 years after submission, then destroy.



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§8.01-345.

Juvenile and Domestic Relations Papers*Defunct records series in circuit court*

Documents juvenile and domestic relations district court proceedings.

010505

Retain in accordance with *Code of Virginia*, §16.1-69.55(c)(2)(3) and §16.1-306.1.Land Tax Books

Documents the taxes charged by a locality for land in its jurisdiction, ownership of the property, and payment of the taxes.

010506

Retain permanently (*Code of Virginia*, §58.1-3310). Microfilm books in accordance with Library of Virginia standards; send 1 copy of microfilm to LVA for security storage and 1 copy to Archives, LVA. Books dated after 1900 that have been microfilmed may be destroyed.Licenses, Hunting, Fishing and Trapping

Documents payment of fees by individuals to Department of Game and Inland Fisheries for permission to hunt, fish or trap.

010507

Retain 3 years after audit, then destroy.

Liens, Suits to Enforce - Pre-1913

Documents claims, encumbrances or charges on property for payment of debt, obligation or duty. Includes mechanics' liens.

Recorded in Deed Book and indexed, unless otherwise specified in *Code of Virginia*, §17.1-229.

010508

Retain permanently.

Liens, Suits to Enforce - Post-1912

Documents claims, encumbrances or charges on property for payment of debt, obligation or duty. Includes mechanics' liens.

Recorded in Deed Book and indexed, unless otherwise

010509

Retain 10 years after conclusion; then destroy (*Code* §17.1-213 (B)(9)).

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specified in *Code of Virginia*, §17.1-229.

Lien Book, Miscellaneous*Defunct records series*

Documents liens or encumbrances ordered by court on individual or property. Refer to *Code of Virginia*, §17.1-229; §43-42 .

010510

Retain permanently.

Maps

Refer to records series 010531, "Plats, Plat Books and Maps."

Marriage Applications, Licenses and Register

Documents couples who apply to court indicating intent to marry. Includes applications completed by individuals, licenses (refer to *Code of Virginia*, §20-20; §32.1-67), and register (refer to *Code* §17.1-233).

010511

Retain permanently.

Medical Register*Defunct records series*

Documents physicians and dentists practicing within the locality.

010512

Retain permanently.

Memorandum of Facts on Decedents

Refer to records series 010467 and 010468, "Commissioner of Accounts Records."



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Military Induction and Discharge Records

Documents residents who were members of the military forces of the U.S. Includes discharge information and memorial records and books, and Department of Defense document DD-214. Refer to *Code of Virginia*, §§17.1-261 - 265.

010513

Retain permanently.

Minister Appointments - Pre-1913

Documents appointments to perform marriage ceremonies within a jurisdiction.

010514

Retain permanently.

Minister Appointments - Post-1912

Documents appointments to perform marriage ceremonies within a jurisdiction.

010515

Retain 10 years; then destroy (*Code of Virginia*, §17.1-213 (B)(3)).

Minutes, Board of Supervisors

Documents official minutes of Board of Supervisors; includes index.

010516

Retain permanently. Refer to records series 010440, "Board of Supervisors Meeting Records." Refer also to *General Records Retention and Disposition Schedule No. 4, County, City and Town Administration Records*.

Minute Books, Court

Documents rough draft of Order Book.

010517

Retain permanently.

Misdemeanor and Traffic Infractions, Appealed

Documents misdemeanor charges that commenced as a felony but concluded as a misdemeanor.

010518

Retain 10 years; then destroy (*Code of Virginia*, §§16.1-69.55 and 17.1-213 (B)(8)).



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Moneys Deposited by Order of Court
Serves as court funds ledger.

Refer to records series 010467 and 010468,
"Commissioner of Accounts Records."

Name, Changes of - Pre-1913

Documents court's decree allowing individual to change name.
Includes resumption of maiden name (*Code of Virginia*, §8.01-217).

010519

Retain permanently.

Name, Changes of - Post-1912

Documents court's decree allowing individual to change name.
Includes resumption of maiden name (*Code of Virginia*, §8.01-217).

010520

Retain ended case papers 10 years; then destroy (*Code of Virginia*, §17.1-213 (B)(5)).

Negro, Free and Slave Records

Documents Negroes who had their freedom; certificates and registers maintained of free Negroes.

010521

Retain permanently.

Notaries, Appointments

Refer to records series 010522 and 010523, "Oaths and Qualifications."

Oaths and Qualifications - Pre-1913

Documents affidavits, pledges, attestations by individuals binding them to perform a particular act; includes affirmations and notary appointments. Original oaths of office required of public officials under Article II, §7, *Constitution of Virginia*.

010522

Retain permanently.



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Transferred to court by Board of Supervisors per §49.8 of *Code of Virginia*. Recorded in Order Book.

Oaths and Qualifications - Post-1912

Documents affidavits, pledges, attestations by individuals binding them to perform a particular act; includes affirmations and notary appointments. Original oaths of office required of public officials under Article II, §7, *Constitution of Virginia*. Transferred to court by Board of Supervisors per *Code of Virginia*, §49.8. Recorded in Order Book.

010523

Retain 10 years; then destroy (*Code*, §17.1-213 (B)(12)).

Order Books

Documents the court's proceedings, orders, judgments, decrees, appointments and qualifications in civil and criminal common-law and chancery matters. Includes clerk's order book. Refer to *Code of Virginia*, §17.1-124.

010524

Retain permanently.

Order Book, Juvenile

Documents court proceedings and actions involving juvenile cases. Refer to *Code of Virginia*, §16.1-302.

010525

Retain permanently.

Order Book, Trust Fund

Documents reports, orders and decrees concerning money received by the General Receiver or under control of the clerk. Refer to *Code of Virginia*, §17.1-125.

010526

Retain permanently.

Partnership Certificates and Fictitious Name Certificates



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Documents certificates filed with clerk by persons, partnerships, limited liability companies or corporations who wish to conduct business under an assumed or fictitious name. Refer to *Code of Virginia*, §59.1-69, 74.

010527

Retain permanently.

Personal Property Tax Books*Defunct records series in clerk's office.*

Documents taxable personal property owned and amount of taxes charged and due to locality.

010528

Destroy accumulation. Refer to No. 4 on schedule cover page.

Personnel Records

Documents the management of staff and administration of benefits to staff; records not otherwise listed on this schedule.

Refer to *General Records Retention and Disposition Schedule No. GS-3, Personnel Records* for retention guidelines.

Petitions for Appointment of Trustee - Pre-1913

Documents testamentary trustee through will petitions, inter vivos trusts, construction trusts and church trustees holding title to real estate.

010529

Retain permanently.

Petitions for Appointment of Trustee - Post-1912

Documents testamentary trustee through will petitions, inter vivos trusts, construction trusts and church trustees holding title to real estate. Does not include those papers that are part of a will.

010530

Retain case papers 10 years after conclusion, then destroy (*Code of Virginia*, §17.1-213 (B)(4)).

Plats, Plat Books and Maps

Documents specific land and topographic areas showing

010531

Retain permanently.



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locations and boundaries of real estate. May be cross-referenced in Deed Book. Refer also to records series 010532, "Plats and Plat Books, State Highway." Refer to *Code of Virginia*, §17.1-236.

Plats and Plat Books, State Highway

Documents the layout and composition of an area of land showing location and boundaries of land parcels compiled by the Virginia Department of Transportation (§17.1-238). Refer to *Code of Virginia*, §17.1-236.

010532

Retain permanently.

Power of Attorney

Documents authorization for a person to act as one's agent or attorney. Refer to *Code of Virginia*, §55-107.

010533

Return to attorney after recordation in Deed Book.

Probate Tax Returns/Memorandums

Refer to records series 010467 and 010468, "Commissioner of Accounts Records."

Process Books

Documents issuance of summons, services and complaints. Refer to *Code of Virginia*, §17.1-215.

012031

Destroy 1 year after last entry in book.

Qualifications, Certificate of Clerk

Documents miscellaneous oaths and qualifications sworn and certified by circuit court clerk, e.g., fiduciary qualifications. Refer also to records series 010522 and 010523, "Oaths and Qualifications."

012032

Record in Order Book. Retain 10 years, then destroy (*Code of Virginia*, § 17.1-213 (B)(12)).



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Receipt Books

Documents the receipt of funds in clerks office or court.

012033

Retain 3 years after audit, then destroy (*Code of Virginia*, §17.1-211).Recorder/Reporter Notes

Documents proceedings of court, as captured by an official court reporter.

Refer to records series 010474, 010475 and 010476, "Court Reporter Records."

Search Warrants and Affidavits for Search Warrants - Related to case on file in clerk's office

Documents a written order authorizing a search for and seizure of any property that constitutes evidence sought.

Retain until applicable case is destroyed.

Search Warrants and Affidavits for Search Warrants - Other search warrants and affidavits

Documents a written order authorizing a search for and seizure of any property that constitutes evidence sought.

012034

Retain 10 years, then destroy.

Search Warrants and Affidavits for Search Warrants - Un-executed

Documents written order authorizing a search for and seizure of any property that constitutes evidence sought. Includes affidavits for un-executed search warrants.

012035

Retain 10 years after issuance, then destroy. May be microfilmed in accordance with Library of Virginia standards (*Code of Virginia*, §17.1-213 (E)).Taxes, Real Estate, Delinquent

012036

Retain until certified that records are no longer needed by Auditor of Public Accounts; then destroy.



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Defunct series in clerk's office

Termination Statements (Uniform Commercial Code)
Documents secured transactions involving businesses.

012037

Retain 5 years after termination; then destroy (*Code of Virginia*, §8.9-404(4)).

Transcripts

Documents record of a trial, hearing or other proceeding certified by report or other individual designated to report and record the trial and is prima facie a correct statement of evidence and incidents of the trial. Includes audio or visual recordings. Refer to *Code of Virginia*, §§17.1-128; 16.1-276.1;19.2-165.

Refer to records series pertaining to type of ended case.

Trustee Affidavits

Refer to *Code of Virginia*, §55-167.

Refer to records series 010467 and 010468, "Commissioner of Accounts Records."

Video and Audio Tapes of Court Proceedings

Refer to records series pertaining to type of ended case. Refer to "Transcripts."

Voters, List of Colored
Defunct records series.

012038

Retain permanently.

Voters, List of White
Defunct records series.

012039

Retain permanently.

Vouchers, Fiduciaries

Documents expense vouchers submitted by court-appointed

Refer to records series 010467 and 010468, "Commissioner of Accounts Records."



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fiduciaries.

Warrants, Executed Arrest

Process through which a person is arrested and taken into custody.

Refer to type of ended case.

Warrants, General District Court

Defunct series in clerk's office since January 1, 1985.

Includes Appealed Misdemeanor and Traffic Infractions.

Refer to records series 010457, 010458 and 010459, "Cases, Ended Criminal (Misdemeanors)."

Warrants, Unexecuted Arrest - Capital Murder Charges

Documents written order of the court to arrest or summons an individual.

012040

Retain permanently in locality (*Code of Virginia*, §19.2-76.1).

Warrants, Unexecuted Arrest - Other

Documents written order of the court to arrest or summons an individual.

012041

After receipt of petition from the Commonwealth Attorney, the circuit court shall order destruction of unexecuted warrants (*Code of Virginia*, §19.2-76.1).

Wills, Original

Documents filing with court instructing executor on disposition of real and personal property once individual has died.

012042

Retain permanently. If will has been microfilmed, original may be returned to the estate. Retain microfilm permanently.

Will Books

Documents recordation of wills, inventories and appraisements. Refer to *Code of Virginia*, §17.1-231.

012043

Retain permanently.

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Witness Books or Lists

Documents appearances of witnesses before court.

012044

Retain 3 years after last entry or until audited, whichever is longer; then destroy.

Writings Partially ProvedDocuments deeds and other instruments which have been only partially proved. Refer to *Code of Virginia*, §17.1-234, §55-111.

012045

Retain permanently.